



October 7, 2022

Hon. Diane N. Freestone
Justice of the Supreme Court of the State of New York
Saratoga County Municipal Center
30 McMaster Street - Building 3
Ballston Spa, NY 12020

RE: In the matter of Rich Amedure, et. al v. State of New York Index No. 20222145

Dear Justice Freestone:

We write today to answer any pending motions for intervention in the above captioned matter. The undersigned represents the Plaintiffs / Petitioners in this proceeding.

After review of the submissions, we oppose granting of an order of intervention. Many of the applicants for intervention lack standing to sue in this matter, are not necessary parties and / or are not materially affected by the relief the Plaintiff / Petitioners request from the Court.

We ask that the Court accept this letter as our answer so as to avoid the parsing of the claims for intervention by each group and individual and the *voir dire* of witnesses. To do so would unduly burden the record and delay this case. Most importantly, we believe, as we previously represented to the Court, that the intervention of the plethora of parties, accompanied by their counsel, would only serve to complicate this matter. The Court understands the urgency

of the case before it and promised to move as expeditiously as possible on the record this past Wednesday.

There has been no claim that the current parties – including the Governor, Attorney General, the Commissioners of the State Board of Elections and the leaders of both houses of the Legislature - cannot adequately defend the case. Accordingly, we conclude that these proposed parties really have nothing unique to add to the record. Intervention would only serve to muddle the record and delay the case, and amicus status is preferred, see Norse Energy Corp. USA v. Town of Dryden, 108 A.D.3d 25 (3rd Dept., 2013).

We recognize the interests that groups on both sides of the divide might have in this litigation. As previously stated, we would not object to the Court according to any proposed intervenors “Friend of the Court” status. This would allow them to file amicus briefs advancing their positions without unduly delaying the trial and hearing of this matter.

If there are any questions regarding this matter; the best way to reach me is on my cell phone, 518 522 3548.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Ciampoli". The signature is fluid and cursive, with a large, sweeping flourish at the end.

**John Ciampoli, Esq.
Of Counsel**

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